

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IVAN RAY BLACK,

Plaintiff,

Case Number: 2:10-CV-13859

v.

HON. DENISE PAGE HOOD

MICHIGAN PAROLE BOARD,

Defendant.

ORDER OF TRANSFER

Plaintiff Ivan Black has filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983.

The proper venue for civil actions in which jurisdiction is not based on diversity of citizenship is the judicial district where: (1) any defendant resides if all defendants reside in the same state; (2) a substantial part of the events or omissions giving rise to the claim occurred or a substantial part of the property in question is situated; or (3) any defendant may be found if there is no other district in which plaintiff may bring the action. *See* 28 U.S.C. § 1391(b). Public officials “reside” in the county where they serve. *See O'Neill v. Battisti*, 472 F.2d 789, 791 (6th Cir. 1972). Additionally, a district court may transfer a civil action to any other district where it might have been brought for the convenience of the parties and witnesses, in the interest of justice. *See* 28 U.S.C. § 1404(a).

Plaintiff complains of the Michigan Parole Board’s decisions denying him parole, which he claims have led to his incarceration beyond the expiration of his sentence. He claims that the Michigan Parole Board has relied on inaccurate and manufactured evidence in reaching its parole denial decisions. The United States District Court for the Western District of Michigan is

the proper venue and more convenient forum for this action. The defendant, the Michigan Parole Board (and its members), reside in Ingham County for purposes of this complaint and the events giving rise to the complaint occurred in that county. Ingham County lies in the Southern Division of the Western District of Michigan. See 28 U.S.C. § 102(b)(1). Accordingly, the Court **ORDERS** the Clerk of the Court to transfer this case to the United States District Court for the Western District of Michigan. See 28 U.S.C. §§ 1391(b) and 1404(a).

s/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: October 22, 2010

I hereby certify that a copy of the foregoing document was served upon Ivan Black, Reg. No. 497061, Gus Harrison Correctional Facility, 2727 E. Beecher St., Adrian, MI 49221 on October 22, 2010, by electronic and/or ordinary mail.

s/William F. Lewis
Case Manager